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To: Examiner Samuel G. Rimell, US PTO - GAU 2175
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From: Paul M. Booth (Shana Stiles)
Telephone: +1.202.912.2197 (202.912.2075)
Direct Fax:

No. of Pages: 20 pages (including cover)
Date: August 31, 2005 41158.0003 US (4868)

Message:

Re: U.S. Patent Application No. 09/313,278
Filed: 18 May 1999
For: *VIRTUAL DOCTOR*
INTERACTIVE CYBERNET SYSTEM
Applicant(s): David M. Goldenberg
DMG 104 US
Our Reference: 41158-0003 US1 (formerly 39334-104)

Attached is an Appeal Brief and transmittal documents originally filed 9 September 2004.

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Heller Ehrman LLP www.hellerhrman.com

Heller Ehrman White & McAuliffe
1666 K Street, NW, Suite 300
Washington, DC 20006-1228

Docket No.: 41158-0003 US

Date: September 9, 2004

Applicant: David M. Goldenberg

Application Serial No.: 09/313,278

Application Filed: 18 May 1999

Title: VIRTUAL DOCTOR INTERACTIVE CYBERNET SYSTEM

The "Received" stamp of the U.S. Patent & Trademark Office hereon acknowledges receipt of the following:

TRANSMITTAL (IN TRIPLICATE)

FEE TRANSMITTAL (IN TRIPLICATE)

PETITION FOR EXTENSION OF TIME (IN TRIPLICATE)

APPEAL BRIEF (IN TRIPLICATE)

CHECK NO. 088282 IN THE AMOUNT OF \$220.00

File in Mail Room/ MAIL STOP: APPEAL BRIEF-PATENTS

Return to: PMB/DLG/sgs/tmc ✓

Date Due: September 9, 2004

Inspected by: *RC*



*1/19 Called PTO & left message for
J. Rimel (571.272.4084) that
Appeal Brief was filed 9/9/04.*

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/313,276	
	Filing Date	18 May 1999	
	First Named Inventor	David M. Goldenberg	
	Group Art Unit	2175	
	Examiner Name	Samuel G. Rimell	
Total Number of Pages in This Submission	17	Attorney Docket Number	41158-0003 US

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	for/ Paul M. Booth, Ph.D., Reg. No. 40,244
Signature	<i>[Handwritten Signature]</i> 52947
Date	September 9, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: _____			
Typed or printed name			
Signature		Date	

**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 220.00)

Complete if Known

Application Number	09/313,278
Filing Date	18 May 1999
First Named Inventor	David M. Goldenberg
Examiner Name	Samuel G. Rimell
Art Unit	2175
Attorney Docket No.	41158-0003 US

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AUG 31 2005

METHOD OF PAYMENT (check one)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit AccountDeposit
Account
Number

08-1641 (Docket No. 41158-0003 US)

Deposit
Account
Name

Heller Ehrman White & McAuliffe LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =		
Independent Claims	-3** =		
Multiple Dependent			

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	55
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	165
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 220.00)

SUBMITTED BY

Name (Print/Type) Paul M. Booth, Ph.D.

Registration No.
(Attorney/Agent)

40,244

Complete (if applicable)

Telephone 202-912-2000

Signature

Date

September 9, 2004

Customer No. 26633